

JAN 14 1997

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT. OF INSURANCE
BY Kelly

In the Matter of:)	Docket No. 96A-113-INS
)	
HAROLD ROY KELTNER,)	ORDER
)	
Petitioner.)	
)	
)	

On January 6, 1997, the Office of Administrative Hearings, through Administrative Law Judge Richard N. Blair, submitted "Recommended Order Granting Reconsideration of Director's Order" (the "Recommended Reconsideration Order") in this matter involving the application for the issuance of an insurance agent license to Petitioner, Harold Roy Keltner. A copy of the Recommended Reconsideration Order is attached and incorporated by this reference.

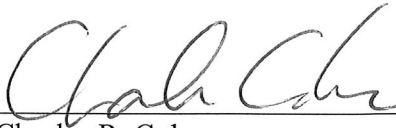
The Director of Arizona Department of Insurance (the "Director") has reviewed the Recommended Reconsideration Order, and enters the following order:

Petitioner has not raised sufficient grounds to set aside the findings of fact or conclusions of law entered by the Director in this matter, including those proposed by the Administrative Law Judge and adopted by the Director. The findings of fact and conclusions of law entered by the Director are fully supported by the record, are fully consistent with the discretion vested in the Director of Insurance, and shall not be vacated revised.

1 NOTIFICATION OF RIGHTS

2 The final decision of the Director may be appealed to the Superior Court of Maricopa County for
3 judicial review pursuant to A.R.S. § 20-166.

4 DATED this 14th day of January, 1997

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7 Charles R. Cohen
Acting Director of Insurance

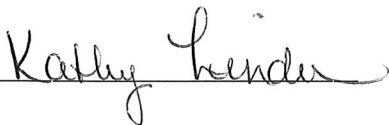
8 A copy of the foregoing mailed
9 this 14th day of January, 1997

10 Charles R. Cohen, Deputy Director
11 Catherine O'Neil, Assistant Director
12 John Gagne, Assistant Director
13 Maureen Catalioto, Supervisor
14 Department of Insurance
15 2910 North 44th Street, Suite 210
16 Phoenix, AZ 85018

17 Office of Administrative Hearings
18 1700 West Washington, Suite 602
19 Phoenix, AZ 85007

20 Mike De La Cruz
21 Assistant Attorney General
22 1275 West Washington
23 Phoenix, AZ 85012

Michael Salcido
6991 E. Camelback Rd., Suite D-302
Scottsdale, Arizona 85251-2487

21 

1 **IN THE OFFICE OF ADMINISTRATIVE HEARINGS**

2
3 **In the Matter of:**

No. 96A-113-INS

4 **HAROLD ROY KELTNER**

**RECOMMENDED ORDER GRANTING
RECONSIDERATION OF DIRECTOR'S
ORDER**

5 **Petitioner.**

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10 On December 18, 1996, Harold Roy Keltner ("Petitioner") filed a Petitioner's
11 Request For Rehearing Or Review Of Order (the "Motion") in the above-entitled matter.
12 On January 3, 1997, the Arizona Department of Insurance (the "Department") filed the
13 Department's Response to Petitioner's Request For Rehearing (the "Response").

14 The Administrative Law Judge has reviewed the Motion and Response and
15 again reviewed the record of this matter and has determined that the Petitioner has
16 raised sufficient grounds to support a reconsideration of this matter by the Director.
17 The Administrative Law Judge concurs with the Petitioner that, based on a totality of the
18 circumstances, the Petitioner has established that he possesses the requisite
19 qualifications to be licensed by the Department as an insurance agent. Accordingly, the
20 Director should exercise his discretion pursuant to A.R.S. § 20-290(B)(1) so as to not
21 preclude the Petitioner from obtaining a resident life, disability and variable annuity
22 insurance agent license.

23 The Administrative Law Judge recommends that the Director adopt the
24 Administrative Law Judge's Findings of Fact number 25. It is further recommended that
25 the Director's Conclusion of Law number 6 be vacated and that the Administrative Law
26 Judge's Conclusion of Law number 6 be adopted. Accordingly, it is recommended that
27 the Motion for reconsideration be granted and that the Director grant the Petitioner's
28 application for a for a resident life, disability and variable annuity insurance agent
29 license submitted on March 11, 1996.

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Office of Administrative Hearings
1700 West Washington, Suite 602
Phoenix, Arizona 85007
(602) 542-9826

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Done this day, January 6, 1997.



Richard N Blair
Administrative Law Judge

Original

Copy mailed this 6 day of
January, 1997, to:

Charles R. Cohen
Director
Department of Insurance
2910 North 44th Street, #210
ATTN: Curvey Burton
Phoenix, AZ 85018-7256

By Chris Crawford